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RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

2008 JUL -2 A 9 49

SENSITIVE

June 30, 2008

Federal Election Commission
Office of General Counsel
999 E Street, N W
Washington, D C 20463

MUR # 6033

Re. Ohio Democratic Party v. Ohio Bankers League, et al

Dear Counsel

Enclosed please find a Complaint for filing on behalf of the Ohio Democratic Party. My firm will be representing the Complainant in this matter. Please do not hesitate to contact me if additional information is needed.

Very truly yours,



Donald I. McTigue

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT
2008 JUL -2 P 3 08

29044224185

IN THE FEDERAL ELECTIONS COMMISSION

Office of General Counsel
Federal Election Commission
999 E Street, N W
Washington, D.C 20463

RECEIVED
FEDERAL ELECTION COMMISSION
JUL 2 1979

2009 JUL -2 A 9 49

OHIO DEMOCRATIC PARTY
340 East Fulton Street
Columbus, Ohio 43215

Complainant,

MUR No

6033

-vs-

OHIO BANKERS LEAGUE
4249 Easton Way, Suite 150
Columbus, Ohio 43219

DAN CONKLIN
4249 Easton Way, Suite 150
Columbus, Ohio 43219

STEVE STIVERS
211 South 5th Street
Columbus, Ohio 43215

STIVERS FOR CONGRESS
WADE STEEN, TREASURER
211 South 5th Street
Columbus, Ohio 43215

Respondents

COMPLAINT

State of Ohio

/SS

Franklin County

I, Doug Kelly, first being duly sworn, hereby state based on personal knowledge as to paragraphs 1 - 4 and upon information and belief as to the remaining facts, that

1 I am Executive Director of the Ohio Democratic Party.

29044224186

29044224187

- 2 Respondent Ohio Bankers League ("OBL") is a trade association for financial institutions that do business in Ohio and is registered with the Ohio Secretary of State as a non-profit corporation. *Exhibit 1* The OBL is self-described as "one of the strongest and most reputable financial trade associations in the country." *Exhibit 2* The current address of Respondent OBL is 4249 Easton Way, Suite 150, Columbus, Ohio 43219.
- 3 Respondent Steve Stivers is a candidate for Ohio's 15th Congressional District in the November 2008 general election.
- 4 Respondent Stivers for Congress is the campaign committee of Respondent Steve Stivers, and Wade Steen is the committee's treasurer.
- 5 Respondent Dan Conklin is an agent and/or employee of Respondent OBL.
- 6 Federal law broadly prohibits a corporation from making contributions or expenditures in connection with federal elections. 2 U.S.C. 441b(a). This includes facilitating the making of contributions to candidates for federal offices. Federal Election Commission regulation 11 C.F.R. § 114.2(f)(1) provides that "Corporations are prohibited from facilitating the making of contributions to candidates or political committees, other than to the segregated separate funds of the corporations. Facilitation means using corporate resources or facilities to engage in fundraising activities in connection with any federal election."
- 7 The FEC regulation provides the following examples of prohibited corporate facilitation of contributions to a federal candidate: "Fundraising activities . . . that involve (A) Officials or employees of the corporation . . . ordering or directing subordinates or support staff . . . to plan, organize or carry out the fundraising project as part of their work responsibilities using corporate resources . . ." 11 C.F.R. § 114.2(f)(2)(i)(A), and "Soliciting contributions earmarked for a candidate that are to be collected and forwarded by the corporation's separate segregated

fund, except to the extent such contributions also are treated as to and by the separate segregated fund " 11 C F R § 114.2(f)(2)(iii)

- 8 A corporation prohibited from making contributions in connection with federal elections may not act as a conduit for an earmarked contribution to a candidate for federal office 11 C F R § 110.6(b)(2)(ii) An earmarked contribution is one that is directed to a clearly identified candidate or candidate's committee through an intermediary or conduit 11 C F R § 110.6(b)(1)
- 9 No individual may receive a contribution on behalf of a candidate while acting as the representative of a corporation that is prohibited from making contributions 11 C. F. R. § 110.6(b)(2)(i)(A) and (E)
- 10 Finally, 11 C F R § 110.6(b)(2)(iii)(B) provides that "A person who is prohibited from acting as a conduit pursuant to paragraph (b)(2)(ii) of this section shall return the earmarked contribution to the contributor " *Exhibit 3* is a copy of a fundraising invitation that solicits recipients to "join the OBL for an evening with State Senator Steve Stivers Republican Candidate for Congress" and that the fundraising reception is "conducted in conjunction with the OBL CEO Symposium " The solicitation states that it is "Paid for by Stivers for Congress" and that checks should be made payable to Stivers for Congress Included on the solicitation is a response form intended to be returned with the contribution that asks the contributor to note the amount of the contribution and whether the contributor will be attending the fundraising event *Finally, the solicitation directs recipients to return the response form and contributions to "Dan Conklin, Ohio Bankers League, 4249 Eastern Way, Suite 150, Columbus, Ohio 43219."* Dan Conklin is listed on the Statement of Organization of the Ohio Bankers League Political Action Committee, a separate segregated fund of OBL, as custodian of records with the position title of "PAC Specialist" at the same address *Exhibit 4*

29044224189

- 11 **Allegation:** The above facts establish that earmarked contributions were directed by Respondents to the corporate headquarters of Respondent OBL and to the attention of a corporate representative, Respondent Conklin, in violation of the Federal Election Campaign Act of 1971, as amended, and above cited Commission regulations

WHEREFORE, Complainant asks that Respondents be found in violation of the Federal Election Campaign Act and Commission regulations prohibiting a corporation and/or its representative from facilitating and/or acting as a conduit for contributions to a candidate for federal office and that appropriate sanctions be imposed

FURTHER AFFIANT SAYETH NAUGHT

OHIO DEMOCRATIC PARTY

BY 

Doug Kelly, Executive Director

Sworn to before me and subscribed in my presence, this 27th day of June, 2008


Notary Public

DAVID L. DUFFEY

Notary Public, State of Ohio

My Commission has no Expiration Date

Case ID - 29044224190

FILE - NEWLY RECORDED - 29044224190

YOUR ORDER, RETURNED & PAID
BY THE POST OFFICE
CHICAGO, ILL 60608

STATE OF OHIO

Ohio Secretary of State, J. Kenneth Blackwell

I hereby certify that the Secretary of State of Ohio has custody of the business records for
CASE NO. 29044224190

and that said business records are the property of
the State of Ohio.

Witness my hand and the seal of the Secretary of State of Ohio this 1st day of April, A.D. 1990.

J. Kenneth Blackwell
Ohio Secretary of State

Seal of the Secretary of State of Ohio

Case ID - 29044224190

FILE - NEWLY RECORDED - 29044224190

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BY THE POST OFFICE
CHICAGO, ILL 60608

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Witness my hand and the seal of the Secretary of State of Ohio this 1st day of April, A.D. 1990.

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Ohio Secretary of State

Seal of the Secretary of State of Ohio

Doc ID: 29044224191



Presidential Library
John F. Kennedy
Library
1000 Massachusetts Avenue, N.W.
Washington, D.C. 20540

Page 1 of 1

CERTIFICATE OF ADOPTION
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Doc ID: 29044224191

Page 1 of 1

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12. Title of the document

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[The page contains several horizontal bands of blacked-out redacted text.]

[illegible]

Doc ID: 29044224193

1. The first part of the document is a list of items that are to be included in the report. These items are listed in a table with columns for the item name, the date, and the status. The items are listed in alphabetical order.

Item Name	Date	Status
Item 1	1/1/2020	Completed
Item 2	1/1/2020	In Progress
Item 3	1/1/2020	Not Started
Item 4	1/1/2020	Completed
Item 5	1/1/2020	In Progress
Item 6	1/1/2020	Not Started
Item 7	1/1/2020	Completed
Item 8	1/1/2020	In Progress
Item 9	1/1/2020	Not Started
Item 10	1/1/2020	Completed

Doc ID: 29044224193

2. The second part of the document is a list of items that are to be included in the report. These items are listed in a table with columns for the item name, the date, and the status. The items are listed in alphabetical order.

Item Name	Date	Status
Item 1	1/1/2020	Completed
Item 2	1/1/2020	In Progress
Item 3	1/1/2020	Not Started
Item 4	1/1/2020	Completed
Item 5	1/1/2020	In Progress
Item 6	1/1/2020	Not Started
Item 7	1/1/2020	Completed
Item 8	1/1/2020	In Progress
Item 9	1/1/2020	Not Started
Item 10	1/1/2020	Completed

**ADULTS IN THE CROWD
AND
MULTI-MEDIA AND ITS
CULTURE AND COUNTRY**

THE "GREAT" NEW
RECORDING

DISCLOSURE. The price in the State of Ohio where the Components are purchased shall not be less than the price in the County of Hamilton.

[illegible]

to obtain answers on specific questions to support program work.

1

1. Introduction

Page 7 of 7

1

Doc ID: 29044224195



U.S. Department of Commerce
Bureau of Economic Analysis
Washington, D.C. 20540

Page 11

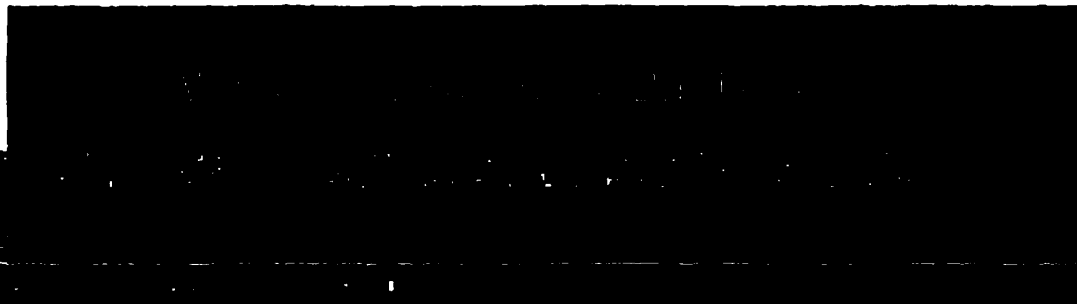
U.S. Department of Commerce
Bureau of Economic Analysis
Washington, D.C. 20540

11. The Department of Commerce is hereby notified that the Bureau of Economic Analysis has received the following information:

12. The Bureau of Economic Analysis has received the following information:

13. The Bureau of Economic Analysis has received the following information:

W. J. [Signature]
[Title]



Ohio Bankers League

For more than 100 years, bankers from around the state have taken advantage of the vision shared by a few insightful Ohio bankers in the late 1800s. Even though each was a fierce competitor, they realized that great benefit could be achieved through cooperation. Their vision led to the formation of what is now known as the Ohio Bankers League.

Cooperation continues to make the Ohio Bankers League one of the strongest and most reputable financial trade associations in the country. Each year, thousands of volunteers and a full-time, professional staff provide Ohio financial institutions with a complete menu of cooperative opportunities - opportunities that not only enhance operation, but more importantly, the bottom line.

© 2008 Ohio Bankers League | 4249 Easton Way, Suite 150 | Columbus, Ohio 43219-6163
Phone: 614 340 7595 | Fax: 614 340 7596 | Email: webmaster@ohiobankersleague.com

EXHIBIT 2

29044224196

Please join the OBL for an evening with State Senator
Steve Stivers Republican Candidate for Congress

Tuesday, June 3, 6 - 8 p.m

Conducted in conjunction with the OBL CEO Symposium,
the reception will be held at the home of Roger and Sherran
Blair, former OBL Chairwoman.

4670 Tansweep Road, New Albany, Ohio

Suggested contribution \$250 per person
Please make check(s) payable to "Stivers for Congress"

Paid for by Stivers for Congress. Not printed at government expense.

Please Reply by May 27, 2008

- ☐ Yes, I will attend Enclosed is my contribution of \$_____
- ☐ No, I will not be able to attend, but enclosed is my contribution of \$_____
- ☐ No, I will not be able to attend

Name _____

Home Address _____

Financial Institution _____

Business Address _____

Business Phone _____ Fax _____

E-mail _____

Federal law requires political committees to use their best efforts to obtain and report the name, mailing address, occupation and employer for each individual whose contributions aggregate in excess of \$200 in an election cycle. Contributions to Stivers for Congress are not deductible as charitable donations for federal income tax purposes. Contributions from foreign nationals and corporations are prohibited.

EXHIBIT 3

29044224198

29038583388

FEC
FORM 1

STATEMENT OF
ORGANIZATION

RECEIVED
FEC MAIL CENTER
2008 JAN -9 PM 3:29

1 NAME OF COMMITTEE (in full) ☐ (Check if name is changed) Example: (type over the word) 12345678

Debra Bankers League Political Action
Committee (FEDERAL)

ADDRESS (number and street) 12345 Eastern Way

☐ (Check if address is changed) Suite 150
Columbus, OH 43210-1234

CITY A STATE A ZIP CODE A

COMMITTEE'S E-MAIL ADDRESS
info@bankersleague.com

COMMITTEE'S WEB PAGE ADDRESS (URL)
http://www.bankersleague.com

COMMITTEE'S FAX NUMBER
614-1234-1234

2 DATE 01/07/2008

3 FEC IDENTIFICATION NUMBER 000674777

4 IS THIS STATEMENT ☐ NEW (N) OR ☒ AMENDED (A)

I certify that I have completed this Statement and to the best of my knowledge and belief it is true, correct and complete

Type or Print Name of Treasurer Jeffrey D. Quyle

Signature of Treasurer  Date 01/07/2008

NOTE: Submission of false, incomplete, or deceptive information may subject the person signing this Statement to the penalties of 2 U.S.C. 9437.
ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS

Official Use Only For Further Information consult Federal Election Commission 1-800-424-9549 Form 290-004-1000
FEC FORM 1 (Revised 08/2007)

Exhibit 4

29044224199

28039583381

8 TYPE OF COMMITTEE (Check One)

- (a) ☐ This committee is a principal campaign committee. (Complete the candidate information below)
- (b) ☐ This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below)

Name of Candidate _____

Candidate Party Affiliation ☐ Office Sought ☐ House ☐ Senate ☐ President ☐ State ☐ District ☐

- (c) ☐ This committee supports/opposes only one candidate, and is NOT an authorized committee.

Name of Candidate _____

- (d) ☐ The committee is a ☐ (National, State or subcommittee) committee of the ☐ (Democratic, Republican, etc.) Party

- (e) ☐ This committee is a separate segregated fund

- (f) ☐ This committee supports/opposes more than one Federal candidate, and is NOT a separate segregated fund or party committee

9 Name of Any Connected Organization or Affiliated Committee

American Bankers Association

Mailing Address

1120 Connecticut Avenue NW

Washington

DC

20036

CITY A

STATE A

ZIP CODE A

Relationship

Unaffiliated

Type of Connected Organization

- ☐ Corporation ☐ Corporation with Capital Stock ☐ Labor Organization
- ☐ Membership Organization ☒ Trade Association ☐ Cooperative

Title or Type Committee Name

OHIO BANKERS LEAGUE POLITICAL ACTION COMMITTEE FEDERAL

7. Continuation of Record: Identify by name, address (phone number - optional) and position of the person in possession of committee books and records

Full Name **Dominick G. Gagliardi**

Mailing Address **4249 Euclid Avenue**

Cleveland

OH 43219-1617

Title or Position

CITY A

STATE A

ZIP CODE A

Pres. Gagliardi

Telephone number **614-342-7602**

8. Treasurer: List the name and address (phone number - optional) of the treasurer of the committee, and the name and address of any designated agent (e.g., assistant treasurer)

Full Name of Treasurer **Jeffrey A. Gagliardi**

Mailing Address **4249 Euclid Avenue**

Cleveland

OH 43219-1617

Title or Position

CITY A

STATE A

ZIP CODE A

548, Gagliardi, Gagliardi

Telephone number **614-342-7603**

Full Name of Designated Agent

Michael A. Gagliardi

Mailing Address **4249 Euclid Avenue**

Cleveland

OH 43219-1617

Title or Position

CITY A

STATE A

ZIP CODE A

President of CED

Telephone number **614-342-7605**

Signature

29044224200

29039583382

29044224201

28030583303

8. Banks or Other Depositories List all banks or other depositories in which the insurance deposits funds, holds accounts, or has other deposit money or securities funds.
Name of Bank, Depository, etc.


First Merit Bank, Inc.
Mailing Address 1515 Cascade Plaza
Akron, Ohio 44301
CITY A STATE A ZIP CODE A

Name of Bank, Depository, etc.

Mailing Address
CITY A STATE A ZIP CODE A

29044224202

29059593384

Federal Election Commission	
ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS	
The FEC added this page to the end of this filing to indicate how it was received.	
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Delivery Confirmation™ or Signature Confirmation™ Label <input type="checkbox"/>	
<input type="checkbox"/> USPS Express Mail	Postmarked
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> No Postmark	
<input checked="" type="checkbox"/> Overnight Delivery Service (Specify): <i>VPS</i>	Shipping Date <i>1/7/08</i>
	Next Business Day Delivery <input type="checkbox"/>
<input type="checkbox"/> Received from House Records & Registration Office	Date of Receipt
<input type="checkbox"/> Received from Senate Public Records Office	Date of Receipt
<input type="checkbox"/> Received from Electronic Filing Office	Date of Receipt
<input type="checkbox"/> Other (Specify):	Date of Receipt or Postmarked
 PREPARER (3/2005)	<i>1/9/08</i> DATE PREPARED